Some of our cotemporaries are bothering them soulie to learn what can be the object of the anciet seed visit a special Russian embassador to this sountry. It is likely to it has be affected to the sountry. It is likely to it has be affected to the sound of Knox's beautiful Fals and Winter Hars, and wasts one. Those who keep a stare to keep will doubtless see him: shortly after his actival pop in et No. 212 Broadway, corner of Fulton st.—Knox's artist pop in et No. 212 Broadway, corner of Fulton st.—Knox's

CLOTHING AT WHOLESALE AND RETAIL. CHAPTERING AT WHOLESALE AND RETAIL.—
Sonahle and well made-may be had at Evany's extendive
Glothing Warehouse, Nos. 6s and 68 Fultunet, 30 per cent
below the market price. That Evans undersels all other
dothiers is universally acknowledged.

SILKS, SILKS.-A large lot of rich SILKS from saction will be opened Twis Day. Alse 50 see Printed D Laines from 1/ to 4/, work double the price sakes. E. H. Leaderater & Co., No. 347 Broadway.

Silks -20,000 yards Rich Dress Silks, at 4 per yard, worth 7: 10,000 yarfs, at 5) per yard worth 8: 16:00 yards, at 6) per yard, worth 9: 25,000 yarfs Rich State Sirks, from 5: to 12 per yard S. & M. F. Towns & G. Colombian Hall, No. 281 Grand-st.

EMPROIDERIES FROM AUCTION AT A GREAT SACRIFICE—E. H. LWADREATER & Co., No. 347 Broad way, will offer This DAY a large stock of rich Emerodered Cottars, Bleeves, Bands, &c. at half took real value
E. H. Bradreater & Co., No. 347 Broad way.

EMBROIDERIES AND LACE GOODS,-S. & M. E. TOWLE & Co. see now exhibiting the sincest assortment of Laces and Finbroideries to be found in this city, and at pricef 36 per cent less than cost of importation.

Columnian Hall No. 221 Grand-st.

SHAWLE .- S & M E. TOWLE & Co. will offer THIS DAY 100 BENCHE LOVE SHAWLS at \$10 \$2 cmb, worth \$16 and \$20. Also 50 rich STELLA Shawls from \$5 tr \$10 cach, worth \$5 to \$15. Also the cheaper stock of Say State and Saxchy Wool Shawls to be found in this city.

COLUMNIAS HALL, No. 221 Grand-st.

LADIES' BEST KID GLOVES AT 50 CENTS .-1000 dor. Latirs' Super Kid Gloves will be opened Titts Day at 5; 300 do. Gent's do. at 5; The above were slightly spotted on board the ship, and are worth 7; and 8; per pair. E. H. Leaderatte & Co. No 347 Broadway.

BROCATELLES. SATIN DELAINES, DAMASKS, CORNICES. WINDOW SHADES, LACE CURTAYS, &C.-KELTY & FENCUSON, No. 291 Broadway, have a large rock of the above goods personal y so octed from the best manufactories in France. Some New Styles every before bought out. K. & F. have established a reputation for selling grods cherp and increasing trade is a proof that it's appreciated. No. 291 Broadway and Resde-st. FAIRBANKS' PLATFORM AND COUNTER SCALES.

FAIRBANKS PLATFORM AND COUNTER SCALES,

-These calebrated Scales still maintain their reputation for accuracy and strength, as shown by the recent trin at the Crystal Pelace. They are manufactured by the eriginal inventors, and the utmost care is taken to render them perfect as regards with manship and material—every boole being tested on all loans of the platform from the lowest to the highest raced canadity.

No Scales goes out of the establishment without such a test, and consequently there is no failure when brought into actual use by the punchese.

Nessay 100 modifications of these Weighing Machines are now offered to the business public, among which are

RAILMOAD-TRACK and DEFOT SCALES;

HAY and COAL SCALES with from levers;

WAREHOUSE SCALES, STORE SCALES in great variety.

Also, a nest FAMILY SCALE which should be found in every house.

house. WEIGHMASTERS' BEAMS, BANKERS' and DRUGGISTS'
SCALES, FOST OFFICE BALANCES GOLD-COIN SCALES, and, in
short, every description of Weighing Apperatus of American
and foreign magnificators.
Warehouse, No. 189 Broadway, New-York.

ROCHESTER SCALES. - The subscribers are

ROCHESTER SCALES. — The subscribers are Agents for these popular Scales and have now a large assurement on hand. Furchasers of Platform Basaces, of any caracity, from the neat Family Scale to the largest modification used in stores, can find in our stock the sance article wanted. So else of Hay, Coal and Cattle Scales.

We enumerate a few out of some 80 different styles of our manufacture:

HAY SCALES, from 2 to 5 tuns.

COAL SCALES, from 2 to 5 tuns.

SUFFRISION SCALES, form 4 to 20 tuns (a new article).

ROLLING MILL SCALES, 2000, 3,000 and 4,000 fb.

PORTABLE PLATFORM SCALES,

from 4 fb to 3,000 fb.

UNION SCALES,

UNION SCALES, with Platform and Scoop.
GROCERS' SCALES, of all kinds.

EVEN-BALANCES.

WEIGHERS' BEAMS and FRAMES.

FINE SCALES for weigning Gold.

DRUGGISTS' and Prescript
DRUGGISTS' and Frescript

We are also sole Agents in this city for the sacco.

FIRE-KING SAFE.

Made only by the Duryce & Foreyth Manufacturing Company.

We invice attention sloot our stock of bugar Mills, finiter
Copying Presses, R. R. Manifest do, Warshouse and Baggage
Trucks, &c.

No. 13 Whitehall and No. 1 Stone-st.,

New York city.

ALBERT H. NICOLAY will hold his regular semiweekly Auction Sale of Stocks and Sonds This Day (Thur day), at 124 o'clock, at the Merchants' Exchange. For furth particulars see his advertisement is another column. Cat-logues may be obtained at the office, No. 4 Broad st.

CARPETS! CARPETS!! CARPETS!! CARPETS: CARPETS:: CARPETS:::
Superb Medallion Velvet Carpets from the Paris Exhibition.
English Brussels, 8/ per yard.
50,000 yards
Ingraine, 3/6, 4/ and 6/ per yard at
Hiram Anderson's, No. 99 Bowery.

ELEGANT BOOTS AND SHOES.—There is a classic

FRENCH UMBRELLAS .- We will to-day open a

large case of

Paris Silk Umbrellas,
made expressly for our seves of assorted sizes and colors, and
imported by us per steamer Atlantic.
Leary & Co., Hatters, Astor House, Broadway.

PIANO-FORTES AND MELODEONS!

Manufactured by
JOHN P. WAKE & CO.,
No. 167 Canal-st., near Varick-st.
Fully warranted for tone, and workinanship e
the city, and 20 per cent. less then Broadway per
N. B.—Second-nand Pianos at great bargains.

50,000 GOLD-BORDERED and TRANSPARENT Wisdow Shades at great bargains; Lace and Muslin Curtains from anction; Brocateles, Satin De Laines, Cornices, Bands, Pins, Brasses, Buff and White Linens, Shade Trimmings, Upbelatery Goods, at prices defying competition. The public are invited to call and examine bef; re purchasing.

W. O. JENES, Nos. 456 and 458 Pearlet.

AUCTION PURCHASES .- French China Tea Sets, Dining Sets, Vascs, Cups and Saucers, Terra Cotta, Parian Figures, BluepCanton China Giassware, Chamber Sets, &c., at very low prices. Davis Collamore, No. 447 Broadway, near Grand-st GIFTS AND PRESENTS .- Just received and for

rale at reduced prices, the choicest selection of Ladies' Reti. CULES, Nocklaces, Tallet Cases, Jet Braceletz, Traveling Bas Acts, Fans, Ferfumery and Scaps; also every variety of Toys Dolls and Games, at ROGERS's Fancy Basaar, 449 Breadway

WILDER PATENT SALAMANDER SAFES TRIETER VEARS in use and have never failed to preserve their contents from the ravages of fire.

These Safes, secured by Brankan's La Bulle Lock, which a proof against powder and burglars, for sale by STEARNS & MARVIN, No. 146 Water-st., New-York.

BARGAINS IN CARPETING.

Good Brussels 95 cents per yard.
All other Goods at equally low prices.
PETERSON & HUMPHERY,
No. 379 Broadway.

B 1. A N K E T S .

English Biankets (large size ) 64 25 per pair.

FETERSON & HUMPHARY,

No. 379 Broadway,

Corner of White-st.

TUTTLE'S EMPORIUM

English, French, German, and American FANCY GOODS, NOVELTIES, AND TOY No. 345 Broadway.

C A R P E T S.

HEAVY ENGLISH SUPERFINE, 6 per yard.
All other Goods at equally low prices.
PETERSON & HUMPHREY.
No. 379 Broadway.

Dr. S. S. Firch, author of "Six Lectures on Consumption," &c., Office No. 714 Broadway, open daily (Sun-day excepted) from 9 until 5 o'clock, treats Consumption, Asth-me, Diseases of the Heart, and all Chronic Diseases of Males and Femnies. Consultation free.

BATCHELOR'S HAIR DYE.-WIGS AND TOUPEES This celebrated stabilishment is No. 233 Breadway. Twelve private rooms expressly for the application of his famous Hark Dyrs. Barcuston's Wies and Tourism have improvements over all others, excelling in beauty of arrangement so peculiar to this house. The largest stock of Wies in the world.

Barcuston's, No. 233 Broadway.

CRISTADORO'S HAIR DYE, WIGS and TOUPEES stand predminent above all composition. A suite of elegant private agastments for applying his famous Dvs., the greatest standard article of its kind throughout the world. His new style of Wigs and Tourens are perfection itself. Wholesale and retail at Caravanca's. No. 6 Autor House.

INDIGESTION, LIVER COMPLAINTS, AND THEIR CURE.—Holloway's Pills quielly remove obnoxious matter from the blood and thoroughly cleaner and renovate the system These Pills are a certain remedy for diseases of the stomach an housely.

Consumption, Asthma, Bronchitis, Catarrh, and other affections of the lungs and chest cured by Inhalation, least and general treatment. Inhalation alone will fail be care most of these diseases, but combined with the proper seneral remedies. Dr. Haars is eminently successful in curing them. These facts are proved by the previous trial elsewhere of the specialty of Inhalation failing to relieve Mr. Zinedof of Penn. H. Sherman of New-York, and hows of others. As a proof of Dr. Haart's combined treatment he refers to the cure of Mr. Colburn, No. 413 Streadway; F. Stebbin, New-York, and S. W. Klee and wife, Hastford, Conn. Nervous, chronic scrotilous, and affections of the generative system, tax the constitution to such an extent as to render it susceptible to tuberculous and other chronic diseases. The Doctor's introductory work on the Canne and Cure of these diseases will be sent free to any address. The afflicted with any disease can apply with a carbeinty of relief to No. 850 Broadway, from 9 to 4 o'clock. tainty of relief to

No. 850 Broadway, from 9 to 4 o'clock.

Patients at a distance treated by mell.

Sunscribers wishing to have the direction of The Taibung ghanged, must state the old address as well as the new.

New York Daily Tribune

THURSDAY, NOVEMBER 8, 1855

A BREEZE FROM THE MORTH. Special Telegraphic Dispatch to The Tribune.

ALBANY, Wednes sy, Nov. 7-9 P. M. POTSDAM, St. Lawrence County, gives 576 purati ; for the Republican ticket JIFFERSON County gives the Republican ticker a

pleratity of 2 000. YATES County gives the Republican ticket a plura!

ity of 1,000. FULTON County gives the Republican ticket a plu rality of 500.

We have good reports from ALLEGANT. The Republicans have elected fourteen Republican Senators, lout of thirty two,) including Upham of

Geresce. The probabilities are against the election of the Republican State Ticket.

Attention is called to our Cattle market report, on the last page, by which it will be seen that although there was a large decrease in the receipts of the week the salesmen had to submit to another decline. Ten cents was the tip-top price yesterday.

The arrival of the Asia at Halifax yesterday morning places us in receipt of three days' later news from Europe. In the Crimea the French and Fardinians were advancing from the line of the Chernaya and the valley of Baidar; and on the 13th ult. the French outposts were said to be within nine miles of Bakshiserai, and close upon positions where, if anywhere, the Russians were expected to make a stand. To the lines of the Allies the Russians oppose thirteen infantry divisions-one on the north side of Sevastopol, two at Inkermann, two at McKenzie's farm, and the rest along the plateaux which at etch toward Aitodor, and thence toward Bakshiserai and the rivers Belbek, Katcha and Alma. The fire from the north side of Sevastopol was very heavy, chiefly against the Malakoff and the French quarters west of the Karabelnaya ravine. English correspondence of the 12th supposed, in the face of this fire, that the Russians were retiring on Perekop. A Russian dispatch states that on the 22d the Allies advanced from Eupatoria toward Toulet, forty thousand strong, but retired behind Aktatshi on the 23d, finding themselves flanked by Russian lancers. The entire Russian militia had been ordered to reënforce the army of the south. Two liners, sixteen frigates and a number of gun-boats had entered the Daieper and the Czar had gone from Nikolaieff to Elizabetgored. Preparations were being made for another levy of recruits, and prayers were offered at St. Petersburgh for the Emperor's safe return from the Crimea. Florence Nightingale was again in Sevastopol, and the hero of the Redan, Col. (now General) Wyndham, was at the head of the Fourth division. A million of shot and cartridges and half a million pounds of powder were found by the Allies in the south side of Sevastopol. Their land forces, including the sick, amounts to two hundred and ten thousand men.

In the Baltic the English fleet were going into Winter quarters, and the coasting trade was becoming very brisk.

From Asia there are further accounts of the repulse of the Russians in their attack upon Kars. Omer Pasha was at Soukoum Kaleh.

The London Times has a curious article on American fillibusterism. It states that the British West-India squadron is being reenforced to protect British islands from it. calls the United States by the significant name of North America, and dignifies the movement even so far as to speak of an expedition to Ireland. The Liverpool Chamber of Commerce had recommended the suspension of the Bank act of 1844, as during the monetary crisis of 1847. Sir Charles Napier was canvassing South wark, the borough vacated by the death of Sir Wm. Molesworth.

In France the Paris papers talk of splendid gold mines in Cayenne and the Bank of France had made arrangements with the Bank of Amsterdam for a few millions of francs in silver.

Spain and Italy were suffering from ch rumors were affoat that King Bomba had commit ted a gross outrage on some American citizens.

Denmark had not convoked a European con gress, but had merely invited Russia, Prussia, Sweden, Mecklenburg and Lubec to a conference, in order to ascertain if it were possible to capitalize and effect a sale of the Sound dues.

In Greece there had been another revolution in the ministry, and the Pasha of Egypt had in conse quence of the small rise of the Nile prohibited the export of grain after the 6th of January.

Cotton and breadstuffs had declined a trifle, and consols stood at 88.

The returns from the North and Center received last night were of a less chilting tenor than those previously at hand, but they do not serve to change the general aspect. We still believe the entire Know Nothing State Ticket, except William W Campbell for Judge of Appeals, (long term,) has been elected by a considerable plurality, having polled one-third of the entire vote. Mr. Campbell may also be elected, but we think Samuel L. Selden (Hard, Soft and Liquor) has beaten him. The Republican ticket is of course second.

We think no party has a majority in either branch of the Legislature. The Republicans have probably fourteen of the thirty-two Senators: the Know-Nothings have perhaps as many. We have not made a count of the House. The defeat of the Know-Nothings, including Senstor Putnam, in Frie County, is one of the most notable incidents of the canvass.

-Last year, those who resisted the nomination of a distinct Republican State Ticket at Saratoga Springs, alleging that the People were not ripe fo such a movement, were severely blamed for their timidity and distrust. The result of the late canvass is their justification. The time has fully come for laying aside all old party distinctions until we set tle the question of Slavery Extension or Restriction, but a majority of the People have not yet re; alized it. The march of events will rapidly banish all hesitation.

## THE MORAL.

"Down with the Pope!" is a pretty effective partisan cry : so available that we rather marvel that it was not earlier and has not been oftener appealed to: "Down with the negroes and negrolovers!" is even better, because, while the Pope is afar off and to most of us an invisible abstraction, the negroes are around and among us, and not usually regarded as either fragrant or otherwise enchanting. But let " Down with the Pope!" be coupled with "Down with the negroes!" and we have a double-team that will draw almost anything till the traces break. Of this, our City-in-

present example. The State itself affords another hardle less striking.

We have steadfastly believed that a compact political organization of those who desire that Kansas shall be a Free State, and that no new Slave States shall be admitted into our Union, is essential to the liberties, peace, the honor, and even the perpetuity, of our Union. This conviction we have labored to impress upon others, and we believe those who are accustomed to heed our counsels generally concur in this view. If other and adverse views prevail, those who propound and those who adopt them will bear the responsibility. We claim no superiority in prescience over those who say they are "as much opposed to Savery Extension as any body." yet hearken to the counsels of Washington Hunt, the Brookses-John Van Buren or Daniel S. Dickinson. We saw the way clear before us if the Republican movement had been generally accepted to make Kapeas a Free State and effectually check the westward progress of Slavery. We do not see how this is to be effected on any other tack, but will not invoke disaster by predicting it. We trust those who have suddenly vaulted into power among us carnot afford to let Kansas be made a Slave State if they can well belp it; but we fear they will find that they have voluntarily placed themselves in a position of inability to help it. How is it to be made palpable to the general mind that a State which elevates Joel T. Headley and Stephen B. Cushing to its high places over Preston King and Abjah Menn, jr., does really, earnestly, absorb ingly desire that Kansas shall at all hazards be protected and preserved as Free Soil for Free Men? We do not say that there is no affirmative answer to this question : we only say that mone is to our mind apparent. We feel that the cause of Hamsn Freedom has received a fearful blow in the results of Tuesday's election; we shall be very glad to see that it is not a fatal one. Let every one watch the votes that will be taken at Washington the coming Winter on admitting Reeder to his seat, and the admission of Kansas as a State under her Free Constitution.

Meantime, there are some incidental results of the Know-Pothing triumph which we can contemplate without dissatisfaction.

The Adopted Citizens and European Immigrants among us have been uniformly taught by their iournals and political leaders to regard the Whigs of the last twenty years as the implacable though often skulking enemies of their rights as freemen and citizens. "They may sometimes pretend 'the contrary," say these misleaders; "but give them a chance, and they will all combine to disfranchise if not alienate you. Your only reliance is on the constant, invincible support of the Dem-"ocratic party." And this the more ignorant immigrants generally believe.

Well: here has been a fine chance for us to usite in proscribing and disfranchising the immigrants, and we utterly refuse to profit by it. We might have victory, power, office, perquisites, by simply joining in the cry against the immigrant and the Catholic, yet many thousands of us utterly refuse to do it, while thousands of Democrats swell the hoarse halloo and share the comfortable spoils. And while doing this, we make no appeals for Irish or German votes, but understand perfectly that they will nearly all be cast against us We pretend to no peculiar love for or sympathy with them; we "fraternize" with them neither in whisky nor lager beer; we simply stand by our first fundamental principle that the non-criminal, rational human adult who is taxed to enforce the laws and required to obey them shall have an equal voice in making and mending them We stand not up for the Irish nor the Germans but for the essential base of our Declaration of In dependence

The Irish have been especially bitter upon us for demanding that the Afric American shall like. wise-being held by the laws competent to understand and loyally obey or culpably violate thembe entitled to a voice in making, modifying and executing them. They are very often caught venting disparagement on the "negro party," "Black Republicans," &c. A season of system, atic prescription will probably enable even them to c mprehend that devotion to Equal Rights is not necessarily based on any particular affection for negroes, any more than for those contemptuously but improperly designated as Foreigners. We have great hopes that some of these will now be able to comprehend that some of us regard each man as entitled to a man's rights, without esteem.

ing crooked shins particularly ornamental. We can easily see how a Whig should be lured into the K. N. trap. He has been accustomed all his life to confront the great mass of the Adopted Citizens at the polls-te be resisted, browbeaten, decried and overborne by them. To his view they are always veting contrary to the best interests of the country. But how a Democrat-who believes that the votes of the great mass of our naturalized citizens are cast in steady conformity with the best interests of the country, and that a large majority of our educated native citizens vote just the otter way-should unite in a movement to limit and reduce the number of those who (he thinks) vote right, while he proposes nothing of the kind with respect to those who usually vote wrong, we do not so well see. However, let us all live and

## OUR NEW STATE OFFICERS.

Assuming that the "American" State Ticket has been elected at our recent Election, we proceed to give some account of the gentlemen com poeing it, so far as they are known to us. The fact that they are rather new in the political world enhances the difficulty of the task.

JOEL T. HEADLEY, the new Secretary of State entered upon active life, we believe, as a Congre. gational clergyman, but soon left the pulpit for oreign travel and more congenial literary pursuits. His letters from Europe to THE TRIBUNE some ten or twelve years ago, especially those from Italy, were considerably above the average of travelers' letters. He passed thence to historicmilitary pencilings, in the 'blood and thunder' style since run into the ground by the Rev. John S. C. Abbott in his Life of Napoleon. Mr. Headley is a graphic, agreeable writer, who is understood to have made a decent competence by his works. on which he now lives very comfortably just out of Newburgh. He is a fair public speaker, and in private life is much esteemed. He is not a driver at work, and the office he has achieved will suit him, being one of very moderate exactions. Mr Headley was rather Whiggish in politics of old. but never took any part in elections beyond voting, and we think sometimes neglected even that. He may be 40 years of age.

I ORENZO BURROWS of Orleans County is our new Controller. He is a man of bounteous wealth and reputed business talent-energetic, resolute and vigilant. He was a Member of Congress in 1849 51, a particular friend of Mr. Fillmore and a deed, almost every city in our State-affords a very bitter Silver Gray. His location is fortunate,

and we think he cannot be swerved from devotion to the Farly Enlargement of the Erie Canal. He will naturally take a leading part in the new Board

STEPHEN CLARK, the new Treasurer, is an Albasian, hitherto a Hard Democrat, and we think a Canal Engineer. He is said to be a very respectable citizen, but we do not know him.

SAMUEL S WHALLON, Canal Commissioner elect, is a citizen of Chau'auque County, and (we think) a lawyer by profession. He was always accounted a Democrat (Soft) till last year, when he was cross to the Legislature, being openly on the Sefe ticket and secretly on the Know-Nothing. We believe he, too, is a friend of the Speedy En-STEPHEN B. CUSHING is a lawyer of Ithaca-

Tompkins Co., was a Democrat up to last Fall. when he was rominated by the Hards as their candidate for Congress. About this time he began to plow with the "Know-Nothing" heifer, and became also the K. N. candidate for Congress, but did not succeed. He has since adhered to "Sam." He was sent to the Legislature some year since as a Democrat and anti-Prohibitionist, and was accounted at Albany a fluent and pleasing de-Silas Seymour, the State Engineer and Surveyor, lives at Piermont, and has been responsibly

gineered some jobs on other public works. He has been a Whig, and not particularly Silver so far as we know. WILLIAM A. RUSSELL lives at Salem, Washing ton co., and is the son of the Hon. David Russell,

employed on the Eric Railroad. He has also en-

formerly a Whig M. C. from that district. He is rather young, as well as new to public life. -We presume GEORGE F COMSTOCK, the K. N candidate for Justice of the Court of Appeals for six years ensuing, is elected, though Nicholas Hill, Jr., of Albany, has the hearty support of the Softs. Half-Shells and Liquor-Dealers, and will poll a good vote. Mr. Comstock resides at Syracuse.

and was rather a Hard-Shell Democrat till he became a Know-Nothing. He holds a high rank at the bar. The other Justice of Appeals is not, we prosume. WM. W. CAMPBELL, (K. N.,) late of this city, but who has lately returned to his native Otsego County, and settled on the paternal home stead in Cherry Valley. We think SAMUEL L SELLON, who was placed on the tickets of the

THE BAILROAD MONOPOLY FORFEITED.

Bards, Softs, Liquor men and Half Shells, is

chosen for the long term. He is reputed a good

The public is hardly aware that the charter of the Camden and Amboy railroad company is legally forfeited. We do not mean simply that the monopoly claimed can be destroyed under the eighth section of the United States constitution, which gives to Congress the power to establish post offices and post roads, and which abolishes the monopoly in New-Jersey at a blow if Congress choose to make a post railroad. But apart from this contingency, the monopoly-clause is not contained in the charter of the company, but being simply a law passed long after the charter was given, the Legislature have the right to abolish it whenever they see fit, and besides and independ ently of this, the company can be tried before the courts for fraudulently overcharging passengers, and thus forfeiting their charter. This matter is fully treated of in a series of paper

by the late Horace Binney Wallace of Philadelphia, whose extraordinary legal acquirements, notwith standing he died young, were the subject of the highest professional and juridical eulogy. All which Mr. Wallace wrote is of the same force now as when it was produced; and, accordingly we lay its essence before our readers, affirming that the proper authorities of New-Jersey should take possession of the forfeited road. The monopoly privilege is not a part of the charter- and hence is no contract, as that word has been defined by the Supreme Court of the United States. The charter was passed on the 4th Feb., 1830, and contains no inhibition against the creation of any other road. But on the contrary it says: "That if the State "of New-Jersey shall authorize the construction of any other railroad for the transportation of passengers across the State, from New-York to 'Philadelphia," beginning and terminating within three miles of the commencement and termination of the road then authorized, the impost of ten cents per passenger and fifteen per tun of merchandise should cease. It was enacted February 4, 1831, "that it shall and may be lawful" for this company to transfer a thousand shares of stock to the State; and that the State might there. upon appoint one director; and that when any other railroad or roads between New-York and Philadelphia should be authorized and constructed, this stock should be retransferred; and that no railroad across the State should be made within three miles of the Camden and Amboy road until after the time allowed for the completion of the road, (nine years); and that upon filing the company's assent to this act within five days, " this act shall be deemed and taken as part of the charter of said company." The canal and railroad companies were consolidated into one by the act of 15th February, 1831. On the 2d of March, 1832, another act supplementary to the last was passed. Its first section provides "that "it shall and may be lawful" for the railroad and canal companies to transfer to the State one thousand shares of the joint stock; and the second section says: "That it shall not be lawful, at any time during the said railroad charter, to construct any other railroad or railroads in this State without the consent of the said companies, which shall be in tended and used for the transportation of passen gers or merchandise between the cities of New York and Philadelphia, or to compete in busi, ness with the railroad authorized by the act to which this supplement is relative." The third section declares that the company shall always cause the State to receive thirty thousand dollars a year on account of transit duties and dividends. The seventh section enacts that the assent of a majority of stockholders shall be submitted in writing to the Governor, and filed " within forty days after the passing of this act, or this act shall be void. These are all the legislative provisions bearing on the present question. Now no law is irrepealable or unalterable, except

where the effect of the law is to vest or transfer property, and the effect of the repeal would be "to devest or change that property." "The pro.
"vision of the Constitution," says Chief Justice Marshall, in the case of the Dartmouth college va. Woodward, "never has been understood to em. brace other contracts than those which respect property or some object of value, and confer rights which may be asserted in a court of justice." But the second section of the act of March 2, 1832, has none of these conditions. No

taken thereon. It was neither the incitement nor the bond of union of the capitalists. It is therefore repealable by the Legislature. The act of 1832 is no bargain, be it said for the honor of the legislature of New-Jersey and the country. The benefit of the second section is not granted in consideration of the profits to be derived from the first. The company is not required to grant the shares; but by the first section, "it shall and may be lawful for them to do so :" and of this the second section is independent. And, moreover, in the set of 1831 it is previded that upon the company's assent being shown, "this act shall be deemed and taken as part of the charter of said company." But the act of March 2, 1832, simply provides that unless the company's assent be given in a certain time, "this act shall be void." So, unlike that of 1831, it was not made a part of the charter. That the act of 1832 is not a part of the charter can be proved by express decisions of the courts. That the legislature has a right to incorporate another railroad or canal company immediately after it has incorporated a first has been forever settled by the decision of the Supreme Court of the United States, in Charles River bridge r. Warren bridge, et al., 11 Peters 20: " In charters of this description," said Chief Justice Taney, in delivering the opinion of the court. "no rights are taken from the public and given to the corporation, beyond those which the words of the charter, by their natural and proper construction, purport to convey. There are ne words which import such a contract and none can be implied. The whole community are interested in this inquiry, and they have a right to require that the power of promoting their comfort and convenience, and of advancing the public prosperity, by providing safe, convenient, and cheap ways for the transportation of produce and the purpose of travel, shall not be construed to have been surrendered or diminished by the State; unless it shall appear by plain words that it was intended to be done."

principle in the case of the Tuckshoe Canal cempany vs. the Tuckshoe Railroad company. It was then decided that the Legislature after incorporating a canal company might immediately incorporate a railroad company alongside of it. President Tucker in delivering judgment, said: "It can never be conceded that the incor poration of one company for internal improvement is an implied negative of all future power in the legislature to incorporate other companies for other improvements. If these pretensions are listened to, there will soon be an end of the necessary improvement of the country. But they are without foundation. Monopoly is not a matter of inference. It must rest its pretensions upon express grant. It is a restriction upon common right, upon legislative power, and cannot be implied." Besides, it has been decided that a clause in an act such as that of the second section of the New-Jersey act of 1832, does not prohibit the Legisla ure from incorporating another competing company at a subsequent time. So settled in New-York, in the case of the Mohawk Bridge Co. v. the Utics and Schenectady R. R. Co. And so of other decisions: consequently there is no denial of this point. The next point is-that the company's charter

The Virginia court of Appeals affirmed the same

s actually forfeited by their charging four dollars when they were by law limited to three. The great authorities are clear on this head. "All franchises are granted," said Lord Holt, "on condition that they shall be duly executed according to the grant; and if they neglect to perform the terms the patent may be repealed by scire facias." So, too-Baron Comyn, Mr. Justice Story, and others. In the case of the People v. Hillsdale and Chatham Turnpike company, before the Supreme court of this State, it was adjudged that a neglect of such a company to keep the road "faced with gravel or broken stone of nine inches in depth, in such a manner as to secure a firm and even surface, rising in the middle by a gradual arch, as the act of incorporation required, is a forfeiture." So, too, in cognate cases. Now there is an embarras de richesse in selecting from among the iniquities of the Camden and Amboy railroad company; but this could be obviated by singling out the particular swindle in question. The Legislature did its duty in limiting the rates for passengers. So it is for the attorney-general of New-Jersey to institute proceedings against the company for abuse of franchise. They can be tried and convicted before the ordinary courts of justice in the State, if juries and judge and attorney-general do their duty.

There is one other point to be considered: a chartered monopoly being "legal franchise is private property," and as such is liable to be taken for public uses, as all other private property may be, reasonable compensation being made to the owners. This supreme prerogative of the State is known as the right of eminent domain. The Su. preme Court of the United States in the case of the West River Bridge company v. Dix and others so decided. Thus the monopoly has no legal existence if the State choose to take it under the right of eminent domain. On this there can he no adverse argument.

Now the question is with these judicial and egislative modes of wiping it out, shall that infamous company be permitted to lord it over the most frequented highway on the face of the globe?

We second the stump nomination of John Van Buren for a Delegate to the Democratic National Convention to meet next Spring in Cincinnati to nominate a successor to President Pierce. It is a nomination eminently fit to be made -we mean John's, of course, not Pierce's. They will need mus'c in that Convention, and John is the boy to make it. It will be an object to see even a reminiscence of Free Soil in that body. Should John be overloaded with the burden of carrying in that predicted Soft-Shell majority of 50,000 in the State we trust John Cochrane will lend him a shoulder. he being employed (says the other John) for the "heavy business." The Southern Delegates will please open to the right and left and let said ma. iority roll through.

A parsgraph in our columns rebrobating a recent piece of gossip about Dr. Kane and a young lady has been understood as in some sort assuming or implying that the story was or might be true. The Times has since expressly retracted it.

As it is well known that for some years past THE TRIBUNE has been in the habit of collecting the e'ection returns of this city, not only for itself but for the Associated press generally, we deem it but justice to ourselves, in reply to various strictures upon our supposed tardiness and inefficiency in ascertaining the figures of the election just consummated, that we have had no hand in collecting these returns, the duty having been confided to other agents, who will no doubt be able to do the work with greater dispatch grants were based on it, nor subscription under | when they shall have had more experience.

THE LATEST NEWS. RECEIVED BY MAGNETIC TELEGRAPH

THREE DAYS LATER FROM EUROPF

ARRIVAL OF THE ASIA AT HALIFAX. .

FAY THE HOUSE PRINTING TELEGRAPH—OFFICE 21 WALLES,

HALIFAX, Wednesday, Nov. 7, 1835. The Royal mail steamship Asia, Capt. Lett, from Liverpool at 101 o'clock a. ra. on the 27th October arrived here about 10 o'clock last night.

At moon on the 1st inst., in lat. 49 39, ion. 63 24, the Asia passed the ship Perthshire steering east The Asia sailed at one this morning for Boston

where she will be due about ten o'clock a. m. oo The steemship North Star arrived out at Southamp-

ton at 4 p. m. on the 26th ult.

The announcement that the Russians had blown up fort Nicholas and their other works at Otshatoff

Cos firm.cd.

The principal portion of the news from Sovastopol consists of obscure accounts of the maneuvers of the two armies in the field, the substance of which appears to be that the Allies are moving forward systematically in strong force, and that the Russians are retiring in good order back upon their fortified positions. The French and Sardinians had advanced from con firm ed. the Chernaya and Baidar line, and correspondence of the 13th says the French poets were within nine miles of Bakehise ai, also cose to the Russian position at A'bat and Aizal, where, if at all, the Russians mast

take a stand.

The Russians have thirteen infantry divisions oppo-The Russians have thirteen infantry divisions opposite the all ied lines—namely, one division of gan ds at the fortifications on the north plateau, two at lakermann, two on Mackenzie's ridge, and the remaining ight guard the series of plateaus from Bakshisoras own to Aitofor and the river sources of the Belbec, Katichs, and Alma.

English correspondence to Oct 12 supposes that the Russians from the north side of Sevasto of were failing back by detachments on Perekop: there was, however, no diminurion of the fire from the forts and batteries on the north side of the harbor. Their five

however, to diminution of the met from the fores and batteries on the north side of the harbor. Their fire during the last four days had been very active, and was chiefly circeted against the Ma'akoff and the French quarters in the western part of the south side. The English and French were engaged in clearing

away the ruins of the city.

A Russian dispatch of the ced via Berlin says, the Allies forty thousand strong had marched from Eupatonia toward Toulast, but on the 23d, perceiving our lancers on their left flank they returned behind Aktaschi. Nothing has occurred between Kimburn and Nikolasiff.

English letters say that the gunboats reconneitered too near Nikolaieff. The latest dispatch from St. Petersburg, dated Oct.

The whole of the militis has been ordered on the march to re-storce the army of the south under Gen. Luders. Two liners, sixteen frigates and some gun-bouts have entered the Daniper."

The Emperor Alexancer had left Nikolaieff for Eliz-

absgorov, one hundred and thirty miles northward. The usual story is revived, tuat his reason is af-There is nothing more definite as to the resignation

or recall of Gen. Simpson than was brought out sy the Arago.
The London Post says that a new commander is ap-

The London Post says that a new commander is ap-pointed, but does not give his name. Rumor mentions Sir De Lacy Evans. Coorington, Markham, Colin Campbell and others. Major Delafield, Major Murdoch, jr., and Captain McLellan, American officers, had arrived in the camp. A British general order provides them with rations during their stay in the Crimes.

xcher ged.

Miss Nightingale had returned to Sevastopol.

Gen. Wyndham, the hero of the Redan has th

Osman Pasha, who was taken at Sinope, had been

Miss Nightingaie had returned to Sevastops.

Gen. Wyndham, the hero of the Redan has the command of the fourth British division.

The Monateur publishes a list of the stores found in Sevastopol, comprising a million shot and cartridges and half a million pour ds of gunpowder.

The land strength of the Allies in the Crimea, including the sick is officially reported at two hundred and

dirg the sick, is officially reported at two hundred and n thousand men.
A St. Petersburg letter of the 15th says the Allied

successee had caused despondency, yet everything in-dicated the intention of Russia to continue the war. Preparations were making for a fourteenth lavy and enrollment of the local minitia. Prayers were offered for the Emperor's safe return from the Crimea. The attitude of Sweden was regarded in St. Poters-burg with increasing symptotics.

THE BALTIC. The weather was bad, and the English fleet near Nargen was prepreparing to leave. The gunboats at Etsinere had been ordered to England.

The coasting trade was again springing up since the oval of the fleet.

When the Russians in Asia heard of the full of Sevastopol, they on the 22th of September made their attack upon Kars. The Turkish details of the affair are received. The Russian loss is reported at 2,000. Two Turkish recoubts were tost and retaken four times. The Hungarian general, Kmetty, commanded the Turks in the absence of the English general, Williams. The Russian general, Mouravieff, with The Russian general, Moura eighty guns, cannot continue the siege. The Russians have fortified all the passes leaving to Tiflis. Omar Pasha was at Soukorem Kale.

GREAT BRITAIN.

A new coalition of Lord John Russell, Bright, Glad-stone and Disraell was still talked of. Lord Palmerston wishes the Earl of Shaftesbury to accept the vacancy in the colonial secretaryship owing to Sir Wm. Molesworth's deate, but his colleagues op-

to Sir Wm. Molesworth a death, but his conseques op-pose. The name of Lord John Russell is also men-tioned for the office.

The London Times has a noticeable article (edito-rial) respecting American expansion, and says the Ea-glish Government is omitting no opportunity of rec-toring the West India squarron, and thus interposing a powerful barrier between Britain and the North powerful barrier between Britain and the American continent. At this moment, says The l'imes, North America is in profound peace with the woold, yet it is not the less true that in her ports are fitting out at this moment piratical fillibustering expeditions, destined to carry war and bloodshed into the ditions, destined to carry war and bloodshed into the dominions of our unofinding neighbor. We cannot believe that those who are now engaged in enrolling unhappy men for these desperate and criminal enterprises fully contemplate the success of a descent upon treland for instance, as probable or even possible. If we can prevent the expedition from sailing, or intercept them in mid-ocean, we shall have done much toward a service the descent which must arise should they be

we can prevent the expectation transmission, or interest, them in mid-ocean, we shall have done much toward averting the dangers which must arise should they be carried out to their natural development.

An important discussion had been held in the Liverpool chamber of commerce on the present Britash monerary crisis. Resolutions were adopted that, all though there is no cause for immediate alarm, the Government should anticipate and prevent any breakdown of public confidence by suspending the Bank act of 1844, as during the crisis of 1847. The London Times opposes this expedient.

The city of London had presented an address to the Queen upon the glorious successes of the affect army, to which the Queen made a suitable reply, promising a vigorous continuance of the wat.

The London papers comment strongly on Admiral Stirling's dilatory movements in the Pacific, by which on the 20th of May he permitted the Russian fleet to eccape.

escape.

Lord Wharneliffe and Mr. C. Lucas, members of

Parliament, are dead.

The New-York clipper ship Carrier Pigeon, abandoned at sea, was towed by a steamer into Cork harbor. The captain and crew afterward arrived there in a borr.

in a beat.

The ship America went ashere at Gibraltar and became a total wreck.

Sir Charles Napier was canvassing Southwark London) for Parliament, vice Molesworth, with good chances of success.

FRANCE

The Bank of France had arranged to obtain some millions of france in silver from the Bank of Amsterdam, and it was rumored that it also intended to issue twenty-five and fifty frare bills. The Paris papers say that splendid gold mines have been discovered in Cayenne.

BELGIUM. The Chambers are to meet on the 14th November. The Kirg of Belgium actively offers his mediation

SPAIN.

Cholers continued to prevail badly at Madrid, and about one hundred cases were reported daily.

Liet. Tacon, formerly Governor of Cuba, had deel of cholers at the age of eighty.

ITALY.

Distress from cholers, starcity, and crime, was increasing in Turcany.
Russia has come to an amicable arrangement with